

Article - Health - General

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§19–308.3.

(a) In this section “facility” means a related institution that, under the regulations of the Department, is a comprehensive care facility or an extended care facility.

(b) Before a facility may use an application or contract for admission the administrator of the facility shall submit the application or contract for admission to the Department.

(c) Before a facility may make any substantive change in an application or contract for admission that has been submitted under subsection (b) of this section, the administrator of the facility shall submit the proposed change to the Department.

(d) The Department, after consulting with the Department of Aging, shall review the applications and contracts to assure:

(1) That the rights, responsibilities, and duties of the parties are set forth clearly and legibly;

(2) That they comply with applicable federal and State laws, including the patient’s bill of rights; and

(3) That they do not contain provisions which are unenforceable because of public policy.

(e) (1) Any application or contract for admission submitted by a facility to the Department for review and approval in accordance with the provisions of this section shall be deemed approved if the Department fails to make a decision on the proposed application or contract for admission within 30 days of its submission.

(2) Any substantive change in an application or contract for admission submitted by a facility to the Department for review and approval in accordance with the provisions of this section shall be deemed approved if the Department fails to make a decision on the proposed substantive change within 15 days of its submission.

(3) Any decision disapproving any provision of any application or contract shall clearly and with particularity state the grounds for such disapproval.

(f) The Department shall adopt regulations to implement the provisions of this section.

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